IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO.182 OF 2005

IN

SUMMARY SUIT NO.380 OF 2004

Ravindra Bhikalal Busa ...Plaintiff

Versus

Royal Palm (India) Pvt.Ltd. ...Defendants

.....

Ms.Poonam Bhatia for Plaintiff.

Mr.Harshad Mehta i/b Ketan Parekh for Defendants.

.....

CORAM: A.M.KHANWILKAR, J.

JUNE 7, 2005.

P.C.

1. Heard Counsel for the parties. Perused the affidavit in support of the Chamber Summons.

2. This Chamber Summons is vehemently opposed by the Counsel for the Plaintiff. However, in my opinion, the assertions made in the affidavit in support, which have remained uncontroverted, are sufficient cause for condoning the delay. The

Defendants have set out the events which unfolded as the reason for delay in filing the Vakalatnama. There is nothing on record to suggest that the stand taken by the Defendants is not bonafide.

3. In the circumstances, in the interest of justice, prayer for condonation of delay in filing Vakalatnama is granted, on condition that the Defendants shall pay cost to the Plaintiffs, quantified at Rs.2,500/- (Rupees Two Thousand Five Hundred). Cost to be paid on or before 10th June 2005.

4. Chamber Summons made absolute in terms of prayer clauses (a) and (b) on the above condition.

A.M.KHANWILKAR, J.